



*Summer 2012*

Maryland



# Nutrient Management News

MARYLAND DEPARTMENT OF AGRICULTURE NUTRIENT MANAGEMENT PROGRAM



## MESSAGE FROM SECRETARY HANCE

### *Balanced Approach is the Right Approach*

**S**triking a balance between protecting the Chesapeake Bay from nutrient pollution and addressing the practical realities of running a farm without placing undue burden and financial hardship on animal producers and local governments has been a long and difficult journey. Following months of discussions, the Maryland Department of Agriculture (MDA) has finalized new nutrient regulations for land application of animal manure and sewage sludge.

In crafting the nutrient management regulations, MDA used the best available science

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## NEW NUTRIENT MANAGEMENT REGS SUBMITTED

**F**ollowing months of discussions with stakeholder groups, MDA has finalized its new rules for the use of manure, biosolids and other organic nutrient sources on crop fields. The proposed regulations were submitted to the Joint Committee on Administrative, Executive and Legislative Review (AELR) on May 22, 2012 and are scheduled for publication in the *Maryland Register* on June 29, 2012. Four public meetings will be held across the state in July to provide an opportunity for public comment.

Maryland's new nutrient management regulations are designed to achieve consistency in the way all sources of nutrients are managed and help Maryland meet nitrogen and phosphorus reduction goals spelled out in its Watershed Implementation Plan (WIP) to protect and restore the Chesapeake Bay. Once approved, the proposed changes will be included in MDA's *Nutrient*

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# AGRICULTURAL ENFORCEMENT UPDATE

## *Annual Implementation Reports*

As of May 15, 2012, Annual Implementation Reports (AIRs) have been received for 93 percent of the state's approximately 5,400 eligible farms. The reports, due each year by March 1, describe how farmers followed their nutrient management plans during the previous cropping season. During the fiscal year, MDA has collected \$9,208 in fines against farmers who failed to submit their AIRs.

## *On-Farm Implementation Reviews and Inspections*

Between January 1 and May 15, 2012, MDA conducted 270 on-farm implementation reviews and inspections to ensure that nutrient management plans are current, records are in line with plans, and that farmers are using the plans to properly manage nutrients. Approximately 65 percent of the farms inspected were in compliance. Warnings were issued to 98 farmers. More than 60 percent of the violations were due to expired nutrient management plans. During the fiscal year, MDA has collected \$1,450 in fines against farmers who failed to take corrective actions.

# SIGN UP TO PLANT COVER CROPS

Sign-up for the Maryland Department of Agriculture's 2012-2013 Cover Crop Program runs June 21 through July 16 at soil conservation district offices statewide. Don't miss this opportunity to apply for attractive grants to help offset the cost of planting cover crops such as wheat, rye or barley on your fields this fall to conserve nutrients, reduce soil erosion and protect water quality in the Chesapeake Bay and its tributaries.

Maryland has earmarked approximately \$18 million for this year's cover crop program. Farmers may choose from two planting options using one application. Traditional cover crops receive a base rate of \$45/acre and up to \$55/acre in add-on incentives for using highly valued planting practices. Harvested cover crops qualify for \$25/acre with a bonus payment of \$10/acre if rye is used as the cover crop. There are no enrollment caps and certain restrictions apply.

Studies have shown that cover crops improve soil health, reduce weeds and pests and encourage beneficial insects. They are an important feature in many nutrient management plans.

The 2012-2013 Cover Crop Program is administered by the Maryland Agricultural Water Quality Cost-Share (MACS) Program and funded by the Chesapeake Bay Restoration Fund and the Chesapeake Bay 2010 Trust Fund. Applicants must be in good standing with MACS to participate and must be in compliance with the Nutrient Management Program. Farmers should stop by their local soil conservation district to apply for a cover crop grant before the July 16 deadline.







## URBAN UPDATE

### *Lawn Fertilizer Regs Nearing Completion*

**P**roposed regulations to implement Maryland's new lawn fertilizer law will be presented to stakeholders later this summer for input and comment. Once approved, the regulations will be submitted to the Joint Committee on Administrative, Executive and Legislative Review (AELR) and published in the *Maryland Register*.

Forty-four percent of all fertilizer sold in Maryland is lawn fertilizer. Maryland's new lawn fertilizer law aims to protect the Chesapeake Bay from nutrients entering its waters from urban and suburban sources, including golf courses, parks, athletic fields, and hundreds of thousands of lawns. The law limits the amount of nitrogen and phosphorus that may be contained in lawn fertilizer products and places new restrictions on how homeowners and lawn care professionals apply those products.

Beginning October 1, 2013, lawn fertilizer products sold in Maryland will no longer contain phosphorus unless they are labeled for use in establishing, patching or repairing lawns. Manufacturers are required to develop formulation and labeling requirements for lawn fertilizers, ensuring proper application by both homeowners and professionals. Additionally, lawn care professionals must be certified and licensed by MDA to apply fertilizer.

### *Certification Program to Begin This Fall*

This fall, MDA plans to roll out its certification program for urban nutrient applicators. The University of Maryland Extension (UME) is developing a training manual to prepare individuals to take the certification exam and will offer training classes this fall. For updates, visit [www.mda.maryland.gov/fertilizer](http://www.mda.maryland.gov/fertilizer).

### *Urban Program Awarded \$100,000 CBT Grant*

The Urban Nutrient Management Program has been awarded a \$100,000 grant from the Chesapeake Bay Trust to help implement portions of Maryland's new lawn fertilizer law.

The funds will be used to provide staffing support, develop training materials and evaluate testing criteria for lawn care professionals who will need to be certified in order to apply fertilizer in Maryland beginning next year. In addition, a portion of the funds will be used to develop a database system to track urban progress in meeting the nutrient goals spelled out in Maryland's Watershed Implementation Plan to restore the Chesapeake Bay.

### *Enforcement*

Between January 1, 2012 and May 15, 2012, MDA reviewed the fertilizer records of 12 golf courses and 12 lawn care companies to determine program compliance. Following these inspections, MDA issued nine warnings for violations ranging from lack of soil tests, over-application of nitrogen and phosphate fertilizer and inadequate records. Eight follow-up reviews of companies with previous violations determined that the deficiencies had been corrected, however one company did not correct the deficiencies and was fined \$250.

*New Regs Submitted cont. from page 1*  
*Management Manual.* Here are the key features of the new regulations:

- Beginning July 1, 2016, nutrient applications will be prohibited between November 1 and March 1 for Eastern Shore farmers and between November 15 and March 1 for Western Shore farmers.
- Organic nutrients will need to be incorporated into the soil within 48 hours of application.
- Farmers will be required to plant cover crops when they use organic nutrient sources in the fall.
- Beginning 2014, farmers will be required to establish a 10 to 35 foot “no fertilizer application zone” adjacent to surface water and streams.
- Beginning 2014, farmers will be required to protect streams from livestock traffic by providing fencing or approved alternative best management practices.
- Fall fertilizer applications for small grains will be limited.
- Guidance and clarification is provided on the use of soil amendments and soil conditioners.

The Nutrient Management Advisory Committee has been working on the revised regulations for more than a year. The new rules were originally introduced last fall, however, due to overwhelming feedback, Governor O'Malley asked

that the proposed regulations be placed on hold to provide an additional opportunity for stakeholders to further discuss the proposal. A summary of the MDA's proposed changes submitted to AELR is available online at: [www.mda.maryland.gov/pdf/proposednmregs2.pdf](http://www.mda.maryland.gov/pdf/proposednmregs2.pdf).

## PUBLIC MEETING NOTICE

MDA will hold four public meetings on proposed changes to Maryland's Nutrient Management Regulations. All meetings will be held from 7 to 9 p.m.

### ▶ North Central Maryland

Tuesday, July 10, 2012  
Harford Community College  
Amoss Center  
401 Thomas Run Road  
Bel Air, MD 21015

### ▶ Western Maryland

Wednesday, July 18, 2012  
Washington County Agricultural  
Education Center  
7313 Sharpsburg Place  
Boonsboro, MD 21733

### ▶ Eastern Shore

Monday, July 23, 2012  
Talbot Community Center  
10028 Ocean Gateway  
Easton, MD 21601

### ▶ Southern Maryland

Wednesday, July 25, 2012  
Calvert County Fairgrounds  
140 Calvert Fair Drive  
Prince Frederick, MD 20610

Comments will be accepted through August 13, 2012. Send to Jo Mercer, Ed.D., Program Manager, Nutrient Management Program, Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or email [jo.mercer@maryland.gov](mailto:jo.mercer@maryland.gov), or fax to (410) 841-5950.

## AIR REPORTING FORMS HELP DOCUMENT BAY PROGRESS

**M**aryland farmers who completed their 2011 Annual Implementation Reports (AIRs) helped document agriculture's ongoing progress in protecting the Chesapeake Bay and its tributaries from nutrient runoff. This year's AIR included several new questions on management techniques, fertilizer timing and application methods used by farmers. These included information on the use of manure injection, cropland under irrigation, conservation tillage and water recapture at nurseries. By completing these questions, farmers provided MDA with needed data used to document best management practices in use on Maryland farms that have a water quality benefit. The practices in use will count toward achieving Maryland's agricultural Watershed Implementation Plan goals for the Bay.



*Secretary's Message cont. from page 1*

from the University of Maryland. We also considered recommendations of Governor Martin O'Malley's Baystat Science Panel as well as concerns raised by environmental, agricultural and municipal stakeholders. The new regulations strike a balance between

maximizing water quality benefits, addressing the practical needs of implementing requirements in the field, and assuring economic impacts are manageable.

With multiple interests at stake, it is inevitable that at the end of the day, not everyone leaves the table happy. Many Bay advocates remain

hungry for stronger, more stringent requirements and a faster implementation schedule. At the other end of the spectrum, some animal producers leave the table feeling as though their farms have just been served up as the main course. Local governments leave the table wondering how they will afford to store municipal sludge over the winter.

The fact is, the new regulations are necessary if Maryland is to meet its obligation to reduce nutrient runoff into the Bay and its tributaries. The status quo is no longer feasible. Existing regulations allow inconsistent management of a variety of organic nutrient sources. All of these sources impact the environment and must be properly managed if we are to meet the Bay's mandatory nutrient reduction goals.

To ease the transition and give farmers and local governments time to adjust to the new rules, many of the requirements will be phased in. Some restrictions, such as mandatory livestock fencing, have been modified in favor of a more flexible approach to stream protection that utilizes alternative, but equally effective best management practices. Most importantly, the 2016 deadline prohibiting winter nutrient application will give farmers and local governments time to comply with the new regulations and is extended to 2020 for smaller municipalities and farms. Above all, keep in mind that the O'Malley Administration is committed to providing farmers with the critical financial resources necessary to meet our shared environmental goals.

Maryland farmers are trailblazers when it comes to environmental protection. We have been down this road before and our efforts have made a difference for the Bay and Maryland's natural resources. As the nation's first environmentalists, farmers continue to lead the way to healthier local waterways and a cleaner Chesapeake Bay.

*Buddy Hance  
Maryland Agriculture Secretary*

## TRAINING CALENDAR



### ■ Farmer Training and Certification for Equine and Pasture-Based Operations (4 evening sessions)

**Dates:** July 10, 11, 17 and 24, 2012

**Who Should Attend:** Farmers who want to become certified to write nutrient management plans for their own operations. The program is geared toward pasture production systems, including equine operations.

**Location:** Ellicott City

**To Register:** Call 410-841-5959 or visit [www.mda.maryland.gov](http://www.mda.maryland.gov) and click on nutrient management. Follow the link to training classes.

### ■ Consultant Nutrient Management Exam

**Date:** August 3, 2012

**Locations:** Annapolis, Boonsboro and Princess Anne

**Registration Deadline:** July 25, 2012

**Who Should Attend:** Persons who want to become certified to write nutrient management plans for farmers.

**To Register:** Call 410-841-5959 or visit [www.mda.maryland.gov](http://www.mda.maryland.gov) and click on nutrient management. Follow the link to training classes.

### ■ University of Maryland Extension On-Line Training Opportunities

UME's Livestock and Poultry Environmental Learning Center offers a series of on-line Webinars on manure management that may qualify for continuing education credits. Visit [www.anmp.umd.edu/Events](http://www.anmp.umd.edu/Events) for a listing.

### ■ Learn and Earn Continuing Education Credits On-Line

Many educational programs qualify for Maryland Nutrient Management continuing education credit. Even if you can't attend a webinar session live, you might be able to earn continuing education credits at a later date. Call 410-841-5959 or visit [www.mda.maryland.gov](http://www.mda.maryland.gov) and click on Nutrient Management in the Quick Links Bar. Follow the link to training classes and webinars.



**Maryland Department of Agriculture**  
**Office of Resource Conservation**  
**Nutrient Management Program**  
 50 Harry S. Truman Parkway  
 Annapolis, MD 21401  
[www.mda.maryland.gov](http://www.mda.maryland.gov)



Martin O'Malley, *Governor*  
 Anthony G. Brown, *Lt. Governor*  
 Earl F. Hance, *Secretary*  
 Mary Ellen Setting, *Deputy Secretary*



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### Maryland Department of Agriculture Nutrient Management Specialists

#### **Allegany, Garrett and Washington counties**

3 Pershing Street, Room 100  
 Cumberland, MD 21502  
 Contact: Keith Potter, 301-722-9193 or  
[keith.potter@maryland.gov](mailto:keith.potter@maryland.gov)

#### **Frederick and Montgomery counties**

92 Thomas Johnson Drive, Suite 110  
 Frederick, MD 21702  
 Contact: Armand Smithberger, 301-694-9290,  
 ext. 137 or [armand.smithberger@maryland.gov](mailto:armand.smithberger@maryland.gov)

#### **Baltimore, Cecil and Harford counties**

19 Newport Drive, Suite 106  
 Forest Hill, MD 21050  
 Contact: Darren Alles, 410-838-6181, ext. 118 or  
[darren.alles@maryland.gov](mailto:darren.alles@maryland.gov)

#### **Carroll and Howard counties**

92 Thomas Johnson Drive, Suite 110  
 Frederick, MD 21702  
 Contact: Bryan Harris, 301-694-9290, ext. 136 or  
[bryan.harris@maryland.gov](mailto:bryan.harris@maryland.gov)

#### **Anne Arundel, Calvert, Charles, Prince George's and St. Mary's counties**

26737 Radio Station Way, Suite B  
 Leonardtown, MD 20650  
 Contact: Weylin Anderson, 301-475-8402, ext.122  
 or [weylin.anderson@maryland.gov](mailto:weylin.anderson@maryland.gov)

#### **Kent, Queen Anne's and Talbot counties**

28577 Mary's Court, Suite 4  
 Easton, MD 21601  
 Contact: Howard Callahan, 410-822-8126 or  
[howard.callahan@maryland.gov](mailto:howard.callahan@maryland.gov)

#### **Caroline and Dorchester counties**

28577 Mary's Court, Suite 4  
 Easton, MD 21601  
 Contact: Dan Schwaninger, 410-822-8120 or  
[dan.schwaninger@maryland.gov](mailto:dan.schwaninger@maryland.gov)

#### **Somerset, Wicomico and Worcester counties**

27722 Nanticoke Road, Unit 2  
 Salisbury, MD 21801  
 Contact: Steven Dorsey, 410-677-0802, ext. 4 or  
[steve.dorsey@maryland.gov](mailto:steve.dorsey@maryland.gov)

## Nutrient Management Notes

### ▶ HAVE YOU MOVED?

Please help us keep your contact information up-to-date. Call your regional nutrient management office with address, email or telephone changes as soon as possible.

### ▶ REGS ON WEB

Get the latest on Nutrient Management regulations and training opportunities by visiting  
[www.mda.maryland.gov/resource\\_conservation/nutrient\\_management/](http://www.mda.maryland.gov/resource_conservation/nutrient_management/).

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